Interview Summary: Commissioner Thomas Carrique (Ontario Provincial Police)

Comm. Carrique was interviewed by Frank Au, Mark Pritchard, Eric Brousseau and Misha Boutilier on August 9 and 17, 2022. Questions about this summary should be directed to Frank Au.

Background

Commissioner Thomas Carrique is the Commissioner of the Ontario Provincial Police (**OPP**). He has been Commissioner of the OPP since April 2019. In his capacity as OPP Commissioner, he reports to the Ministry of the Solicitor General (**MSG**).

Comm. Carrique oversees the OPP's approx. 6,000 sworn officers. His primary responsibility is to provide strategic direction and to ensure that the OPP has access to the resources it needs to respond to the operational strategies that the OPP puts in place. Comm. Carrique also ensures the MSG has situational awareness of the OPP's operations, although the OPP is operationally autonomous.

Five individuals reported to Comm. Carrique daily during the protests: Deputy Comm. Chris Harkins (field operations); Deputy Comm. Rose DiMarco (traffic services and operational support); Deputy Comm. Charles Cox (investigations and support bureau, including the Provincial Operational Intelligence Bureau); Superintendent Mike McDonell (coordinated public order unit hubs); and Provincial Commander Silverthorn (corporate services and the administrative aspect of responding to the protests).

OPP Preparations for the Protests

The Freedom Convoy first came to the attention of the OPP on or about January 11, when OPP Provincial Liaison Team (**PLT**) members became aware of a convoy preparing to leave British Columbia towards Ottawa. [PLT team members engage with protest organizers to ensure that protests are lawful, peaceful, and safe.] The OPP was going to be responsible for the convoy's movements once it crossed the Manitoba-Ontario border.

On January 12, 2022, PLT first contacted the protest organizers. [For more information regarding the PLT's involvement, see the Interview Summary of Marcel Beaudin (WTS.00000037).]

The OPP's Provincial Operations Intelligence Bureau (**POIB**) started gathering information about the convoy and publishing it in its Project Hendon reports on January 13, 2022. [For more information regarding the POIB's involvement, see the Interview Summary of Pat Morris (WTS.00000035).]

As soon as the convoy arrived in Ontario, the OPP had uniformed officers monitor the convoy for traffic flow and criminal activity. By that time, as set out below, the OPP's

intelligence indicated that there was a core group of protesters that were intent on staying in Ottawa beyond the January 29-30 weekend and had no clearly defined exit plan.

Throughout the week of January 24-28, 2022, it became apparent that the motivations of those involved in the Freedom Convoy varied from those whose primary goal was to remove covid restrictions to others who were anti-government generally. There was talk amongst some protesters of access to weapons and heavy machinery, and also of a "civil war." The OPP became aware of active and former military and police officers in the group.

The Hendon report dated January 20, 2022[1] specifically noted that the Freedom Convoy had the potential to raise significant public safety concerns, particularly in Ottawa, including the possibility of aggressive tactics such as blocking Parliament or locking down government buildings by parking trucks outside government buildings for extended periods of time. In addition, the Report noted that there did not appear to be an "exit strategy" for leaving Ottawa and the intent appeared to be to remain in Ottawa until the lifting of all COVID-19 mandates and restrictions. Based on the intelligence in the days leading up to January 29th,[2] it became apparent to the OPP that the protest would not be a weekend-long event. The protest organizers began to talk more openly of a long-term occupation.

The OPP's response to the Freedom Convoy was the largest unplanned province-wide deployment in the organization's history. Other events warranting the mass deployment of OPP resources in jurisdictions outside of OPP-policed communities, such as G8/G20 and Pan Am Games, have involved months of planning and preparation.

OPP's Role in Ottawa

The OPP is not the police service of jurisdiction for the City of Ottawa. Ottawa Police Service (**OPS**) is responsible for policing within the City of Ottawa. As such, the OPS has significant experience responding to large-scale protests in and around the Parliamentary Precinct.

Comm. Carrique understood that OPS's operational plan would prohibit the trucks' access to the Parliamentary Precinct and would instead use buses and shuttles to allow protesters to attend the downtown for the protests. This understanding came from Deputy Comm. Harkins, who told Comm. Carrique that Ottawa's intent was to prevent large trucks

[1] See OPP000001028.

[2] As set out in more detail in the OPP's Institutional Report (OPP.IR.00000001) and the Witness Summary of Superintendent Pat Morris (WTS.00000035).

with heavy equipment from entering the downtown core. By the evening of January 28, 2022, it became clear that OPS had not prevented the protesters from entering downtown.

Comm. Carrique would not typically ask for the operational plan of a police service of jurisdiction, and did not do so in this case. He was aware that OPP Supt. Craig Abrams was in direct contact with OPS and that OPP had offered whatever assistance was needed. He understood that OPS had a plan to prevent trucks or heavy machinery from traveling into the downtown core of Ottawa.

The OPP is responsible for policing 400-series highways In Ontario, including around the National Capital Region (**NCR**). When the convoy arrived in Ottawa on January 28, 2022, the OPP had approximately 150 officers in the NCR. By the end, the OPP had more than 1,000 officers in Ottawa. It scaled up by taking officers from investigative units, training areas, the recruiting branch, and local detachments, as well as cancelling vacations and days off.

There are a limited number of ways for OPP to take responsibility for an incident that is within the jurisdiction of a different police of jurisdiction. One is for the Ontario Civilian Police Commission (**OCPC**) to direct it to do so. Another is upon a request from the Crown Attorney. A third is for the relevant Police Services Board or Chief of Police to formally request that assistance. None of these occurred in Ottawa, and OPS remained the police of jurisdiction throughout the protest.

Further to the assignment of OPP public order and East Region personnel to assist OPS and the Parliamentary Protective Service, on January 28, 2022, Comm. Carrique reached out to Chief Peter Sloly to ask if he had everything he needed. Chief Sloly confirmed that he did, and asked that the OPP continue to provide their intelligence reports to OPS.

Comm. Carrique made numerous offers of assistance to OPS thereafter. Specific to PLT, Insp. Marcel Beaudin was sent to Ottawa to provide OPS with assistance. After hearing from Supt. Abrams about the issues in Ottawa on February 5, Comm. Carrique spoke to Chief Sloly that day. Comm. Carrique's main concern was that OPS was not leveraging the PLT available to it, OPS did not appear to have a clearly communicated and documented operational plan in place, and was not working towards an injunction (which is not necessary but helpful). Comm. Carrique offered OPS the use of OPP PLT, specifically Insp. Beaudin to inform their planning and counsel, and, ultimately assigned Chief Supt. Carson Pardy to assist with the response in Ottawa.

Comm. Carrique does not believe that the public request for 1,800 officers by the City of Ottawa and OPS was operationally beneficial. It exposed to the protesters that the OPS was overwhelmed and needed assistance that would potentially leave other areas of the province vulnerable to coordinated attempts to challenge the capacity of the police to respond to multiple concurrent events throughout the province. The number of officers required to respond to an unlawful gathering is not something that would typically be disclosed publicly. Such a request should be made service-to-service rather than publicly in the media.

Comm. Carrique believes that the plan should drive the numbers and not the other way around. Although the 1,800 officers that OPS requested was ultimately not far off, and in fact less than, the number that was deployed, the request must be informed by a plan. A chief of police who is sending resources from their agency needs to know how their people will be utilized and for how long. The OPP did not allow an apparent delay or a reported lack of planning to compromise officer or public safety. The use of specialized resources (PLT, Public Order Unit (**POU**), intelligence) required significant planning, but OPP were clear with OPS that they would provide whatever frontlines resources were required.

Comm. Carrique was advised that Chief Sloly asked his team to double any request for additional officers. This did not impact the OPP's deliberations about how many officers to send to Ottawa. Leading up to the development of the integrated plan, the OPP provided the number of officers OPS identified it required to perform assigned duties.

Comm. Carrique and Chief Sloly spoke about consulting with Insp. Beaudin regarding the use of PLT to inform enforcement strategies being considered by OPS' major critical incident commander. He also told Chief Sloly that OPP does not rely on Dr. Peter Collins, a psychologist, to assist the PLT.

OPS was the police service of jurisdiction responsible for policing the protest within the City of Ottawa. The OPP has no legal authority to take over policing other than in specific circumstances set out in the PSA. The OPP could only have assumed responsibility for policing in Ottawa at the request of the OCPC, Crown Attorney, Ottawa Police Services Board, or OPS Chief. None of these transpired.

Comm. Carrique, Royal Canadian Mounted Police (**RCMP**) Comm. Brenda Lucki and others from OPP and RCMP spoke twice on February 15, 2022.[3] The first call was prior to Chief Sloly's resignation. That call was to ensure that the operational plan that had been completed by the IPC on February 13 and signed off on by all parties was advancing as planned. Comm. Carrique understood that there were concerns being expressed from the RCMP and OPP that the approved plan was not advancing as a result of delays being experienced within OPS. He and Comm. Lucki discussed meeting with Chief Sloly to inquire whether Chief Sloly had any interest in considering the possibility of the OPP or RCMP assuming responsibility for policing in respect of the Freedom Convoy. However, Chief Sloly resigned later that day, prior to any such conversation with him. Comm. Carrique had no advance notice that Chief Sloly would resign on February 15, and did not expect his resignation.

Once Steve Bell was identified as the Interim OPS Chief Bell, Comms. Carrique and Lucki spoke with him that day, and the three agencies immediately established an integrated command. The parties to that call confirmed that the plan that had been signed off on February 13 would be actioned. OPS would remain police of jurisdiction, but it would be

[3] OPP00000787 and OPP00000788.

an integrated command using the RCMP's Gold-Silver-Bronze system. The OPP sent Deputy Comm. Harkins to Ottawa on February 16, 2022, and the RCMP sent Deputy Comm. Duheme.

OPP's Role in Windsor

In Windsor, Windsor Police Service (**WPS**) remained the police service of jurisdiction, but WPS was open to working collaboratively with the OPP. As such, unified command was established shortly after the OPP extended its support. The OPP did not want a situation where it gave strategic direction that was not actioned or finalized because, in Comm. Carrique's view, Ontario could not maintain the trust and confidence of the public in policing if the enforcement action in Windsor was unsuccessful and the protest became prolonged or protracted. The OPP's experience in Windsor was one of immediate and seamless integration.

On February 14, the Ambassador Bridge was fully reopened. Police resources remained deployed and in the area to prevent further blockages of the roadway. Resources were gradually reduced post re-opening of the roadway until February 28. On February 28, all OPP resources were clear of the WPS staging location. Carriage of the incident was transferred back to WPS at this time. In total, the OPP deployed 410 members to assist WPS. The minimum number of members deployed in a 24-hour period was 38 and the maximum was 263.[4]

Although WPS requested 100 officers from each of OPP and RCMP, the OPP sent a significant number of officers to Windsor and the surrounding areas, as set out above. In Windsor, as in Ottawa, OPP had subject matter experts on the ground to advise as to how many officers were needed. As set out above, public requests for police resources is not the preferred manner of obtaining assistance.

Unified command was not an ultimatum or condition – the OPP would have assisted WPS regardless. However, Comm. Carrique saw it as necessary for success. [For more information regarding the OPP's role in Windsor, see the Interview Summary of Supt. Earley (WTS.00000022).]

Role of Public Order Units (POUs) in Ontario

Under the *Police Services Act*, each police service has an obligation to maintain public order. This is done directly or by seeking the assistance of another police service. There are 10 POUs in Ontario, totaling approx. 1,100 officers. These officers have other full-time responsibilities within their respective agencies but are POU-trained and are deployed as part of a POU as needed. POUs are typically deployed for planned events,

[4] OPP.IR.00000001 at p. 30.

although sometimes they have to be deployed for emergencies. These emergencies are rarely protracted.

OPP's Role in Coordinating Police Resources

The OPP has no formal role or responsibility in the *Police Services Act* to coordinate police resources for such events. However, as set out below, considering the unique nature of the protest activities and its impact across Ontario, the OPP took on such a role in responding to the Freedom Convoy.

The OPP disseminated its Project Hendon reports to policing partners across Ontario and Canada. In addition, it took the lead in coordinating requests from OPS and WPS for additional personnel (POUs, major critical incident commanders, PLT, etc.) while providing assistance to other police services (Toronto Police Service, Cornwall Police Service, Sarnia Police Service and Niagara Regional Police Service).

The OPP's coordination also involved facilitating a high level of communication between police services. There were daily intelligence briefings (excluding Police Chiefs) with police services. There were a number of meetings with Police Chiefs, one of which was a meeting of the Ontario Association of Chiefs of Police (**OACP**). Other meetings involving Police Chiefs included police services inside and outside Ontario and were operational in nature. These meetings were chaired by Comm. Carrique and included an intelligence briefing by Supt. Morris, encouraged coordination, ensured provincial/national situational awareness, and advanced the assignment of extra resources to Ottawa, Toronto, and Windsor. With assistance from key partner police services, such as Toronto and Waterloo, the OPP also coordinated the movements of the 10 POUs in Ontario through the use of POU Hubs.

The meetings were also the venue at which the public requests for resources were addressed and the assistance from other police services were sought. The OPP always makes best efforts to respond to such requests for assistance.

Comm. Carrique and Chief Sloly remained in regular contact and as needed. Similarly, as events developed across the province, Comm. Carrique and/or members of the OPP command team, were in contact with the appropriate chief of police or their designate, regarding their level of readiness and any need for additional resources. In one case, this was extremely helpful in ensuring preparedness for events that later transpired.

The OPP also had a primary role to play in policing protests that were organized in areas that are under its jurisdiction. By way of example, on February 12, 2022, the OPP responded to approximately 20 different protests that occurred simultaneously across Ontario.

Reporting to the MSG

Comm. Carrique was responsible for ensuring that the Deputy Solicitor General (**DSG**) was situationally aware of how and where the OPP was deploying. Comm. Carrique kept the DSG apprised of significant developments. Briefings were from the OPP to the DSG – the DSG did not provide operational direction to the OPP and neither did anyone else in the Government of Ontario.

Comm. Carrique briefed the DSG daily, sometimes more often. These briefings were general and high level – they did not include names, specific enforcement actions, or investigative objectives.

OPP's Role in Providing Training

The OPP's PLT provides training to police forces across Canada on the use of PLT tactics and on the Canadian Association of Chiefs of Police's (**CACP**) National Framework for Police Preparedness for Demonstrations and Assemblies (**Framework**).[5] The Framework is built on the OPP's own framework and on its training standards. OPP trained OPS officers on the Framework in fall 2021, and more recently has trained officers in Winnipeg and Hamilton.

The OPP also offers training for Critical Incident Commanders and Major Critical Incident Commanders. It is conducting POU training as well (both Member and Commander level).

Unified or Integrated Command

At the time, Comm. Carrique did not believe it was necessary to set up a unified command at the outset of the protests in Ottawa. Based on the proven experience of the OPS, the initial protest appeared to be within the capacity of OPS to handle. The OPP eventually participated in a unified command structure when it was necessary and agreed to by OPS.

Comm. Carrique believes that unified command is necessary in situations where the police of jurisdiction does not have the necessary experience, expertise and capacity in critical incident command and/or it is a multi-jurisdictional event that would benefit from coordinated interoperability.

Integrated Planning Cell

Comm. Carrique assigned Chief Supt. Pardy to lead the Integrated Planning Cell (**IPC**). He was clear in his conversations with Chief Sloly that the IPC was there to assist OPS

[5] COM00000666.

by testing and verifying OPS' plan, providing input and subject matter expert advice, and coordinating the resources required from other police services.

Incident Command System

Comm. Carrique did not speak directly to Chief Sloly about the importance of maintaining the autonomy of the incident commander under the incident command system. He was aware that York Regional Police had assigned a Major Critical Incident Commander to assist OPS on January 27, and he was advised that York Regional Police Chief Jim McSweeney had that conversation with Chief Sloly. While some Incident Commanders may feel as though they have complete autonomy, this is not the case – the Chief or Commissioner remains responsible to provide adequate and effective police services, is accountable to the Board under the *Police Services Act* (in the case of a municipal police service), and is entitled to set strategic direction or give lawful orders. However, incident commanders should have operational autonomy to carry out strategic objectives set by Senior Command.

Comm. Carrique perceived much resistance to directions coming from Chief Sloly's office. In some cases the resistance was justifiably articulated, but there were other times when lawful direction was being questioned. As an example, there was hesitation to action direction to shut down offramps from the 417 into the City of Ottawa. However, Comm. Carrique was of the view that this was a lawful directive necessary to prevent the continued permeation of trucks into downtown Ottawa.

Invocation, Use and Revocation of the *Emergencies Act*

Comm. Carrique did not request emergency powers from the federal government. OPP recognized that it would be beneficial to compel service providers, if necessary, but did not have discussions with the federal government. With respect to the decision to use the *Emergencies Act,* he understands that the government communicated with OACP and Canadian Association of Chiefs of Police (**CACP**), but not with the OPP.

The OPP did not change its approach to enforcement action as a result of the invocation of the *Emergencies Act*. The ability to compel tow truck drivers to provide service and to indemnify them was delegated by the RCMP Commissioner to Comm. Carrique, but it was not used to compel them to provide service. The ability to provide an indemnity for the provision of tow services was a useful tool.

The OPP could have set up perimeters and restricted the presence of demonstrators without the *EA*. It could not compel service providers or freeze accounts absent the *EA*, *EMR* and *EEMO*. The OPP were not very involved in freezing accounts, although they shared info with the OPS and RCMP.

The provincial declaration of emergency on February 11 under the *Emergency Management and Civil Protection Act* was more helpful to the OPP's ability to respond to protests. Certain of the measures – the temporary seizure of vehicles, licences, CVOR,

insurance – are tangible, meaningful consequences for protesters. They assisted in ending a protest on Highway 402. These tools are effective and do not burden the criminal justice system or leave people with criminal records.

Recommendations

Comm. Carrique believes that one of the key issues for this inquiry is to examine the ability and responsibility to lock down the Parliamentary Precinct. This would require enhanced collaboration between police services, security agencies, the City of Ottawa and "hard" security features (such as bollards).

Comm. Carrique also believes that the Commission should examine the effectiveness of the existing legislation available to police and the outcomes before the courts related to charges laid by the police in these circumstances.

Comm. Carrique believes the Commission should consider the future capacity of POUs in Canada. It is a part-time responsibility in a world in which there is an increasing amount of civil unrest and anti-government sentiment. The police need the resource capacity to adequately and effectively respond.

Comm. Carrique expressed the view that RCMP officers should have full police authority in all provinces or territories. As members of our federal police service, the need to swear them in was an administrative burden that should be eliminated going forward.

Although there was unprecedented cooperation amongst police services assisting Ottawa, Comm. Carrique expressed the view that formalizing the OPP's "informal" leadership role might ensure a greater level of collaboration between all police services across Ontario in the future. This could also entail regular dissemination by all police services to the OPP on the number of officers working or available for duty, to better enable a collaborative rapid response to similar events and/or emergencies.

Comm. Carrique agrees with Insp. Beaudin that Inspectors, Superintendents, Chief Superintendents, Deputy Chiefs and Chiefs/Commissioners ought to be provided with training regarding the roles and responsibilities of PLT and the CACP's Framework, so that they understand the role and importance of PLT in de-escalating conflict.

Finally, Comm. Carrique believes that the *Police Services Act* requirement to maintain "adequate and effective" police services should be better defined and standardized.